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Paper No. 16

**COPY MAILED**

**JUN 16 2003**

**OFFICE OF PETITIONS**

Walter Joseph Mikulski  
AMCONGEN/RIMC  
PSC 115  
PO AE 09213-0115 DE GERMANY

In re Application of  
Walter Joseph Mikulski  
Application No. 09/490,859  
Filed: January 24, 2000  
Attorney Docket No.: 1.827.99

DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b), filed June 6, 2003, to revive the above-identified application.

The renewed petition is **GRANTED**.

The above-cited application became abandoned for failure to timely file a reply to the non-final Office action mailed October 2, 2001, which set a shortened statutory period for reply of three (3) months. No extension of time for reply available to petitioner under 37 CFR 1.136(a) was obtained within the allowable period. The application, therefore, became abandoned on January 2, 2002. A petition under 37 CFR 1.137(b) was first filed on March 24, 2003, but was dismissed by a decision mailed April 2, 2003.

Petitioner's reference to the inconsistency of a statement in the decision on the petition filed under 37 CFR 1.137(a) indicating that the reply to the non-final Office action had been received is noted. Petitioner is advised that this statement is incorrect and was, apparently an oversight from a previous decision. The required reply has not been received at the time the decision on the petition under 37 CFR 1.137(a) was rendered. The statements in the instant petition relative to petitioner's election are being treated as the reply required under 37 CFR 1.137(b).

The application is being forwarded to Technology Center 3700 further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0010.

Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions